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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,609	02/20/2004	David Voeller	HE 8571 UI	1618
1688 7590 07/06/2007 POLSTER, LIEDER, WOODRUFF & LUCCHESI 12412 POWERSCOURT DRIVE SUITE 200 ST. LOUIS, MO 63131-3615			EXAMINER RATCLIFFE, LUKE D	
			ART UNIT 3662	PAPER NUMBER
			MAIL DATE 07/06/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/783,609	Applicant(s) VOELLER ET AL.	
	Examiner Luke D. Ratcliffe	Art Unit 3662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 7, 9, 10, 14, 17, 19, 23-25, 30, 36-39, 44, 49 and 61 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 7, 9, 10, 14, 17, 19, 23-25, 30, 36-39, 44, 49 and 61 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 7, 9, 10, 14, 19, 23-25, 30, 36-39, 44, 49, and 61 are rejected under 35 U.S.C. 102(b) as being anticipated by Downing (5054918).

Referring to **claims 1, 36, and 44**, Downing shows a vehicle wheel system including an imaging sensor (figure 6 Ref 28), wherein the central processing unit is configured to receive at least the distance information from the image sensor to facilitate one or more vehicle wheel rim service procedures (column 1 line 30-column 2).

Referring to **claim 7**, Downing shows a vehicle wheel service system wherein the central processing unit is further configured to utilize the distance information to identify a surface profile of a vehicle wheel rim (column 1 line 30-column 2).

Referring to **claim 9**, Downing shows a central processing unit that is further configured to utilize the distance measurements to calculate radial runout (column 6 line 12-33).

Referring to **claim 10**, Downing shows a central processing unit that is further configured to utilize the distance measurements to calculate lateral runout (column 6 line 12-33).

Referring to **claim 14**, Downing shows a vehicle wheel service system wherein the central processing system unit is further configured to utilize the distance information to identify a miss-centering of the vehicle wheel rim on the rotation support structure (column 9 line 13-40).

Referring to **claim 19**, Downing shows a central processing unit is further configured to utilize the distance measurement to identify a wheel rim edge profile (column 6 line 12-column 7).

Referring to **claim 23**, Downing shows a vehicle wheel service system wherein the central processing unit is further configured to utilized the distance measurement to identify the presence of an imbalance correction weight installed on the vehicle wheel rim (column 4 line 59-column 5 and column 6 line 12-33).

Referring to **claim 24**, Downing shows the use of a central processing unit that is further configured to identify the presence of a wheel rim surface defect (column 6 line 12-33)

Referring to **claim 25**, Downing shows a central processing unit is further configured to select at least one imbalance correction weight placement (column 4 line 59-column 5 and column 6 line 12-33).

Referring to **claim 30**, Downing shows a vehicle wheel service system wherein the central processing unit is further configured to utilize said distance information to alter a configuration of one or more components of the improved vehicle wheel service system (column 8-9).

Referring to **claim 37**, Downing shows a wheel parameter measurement apparatus for a dynamic wheel balancer wherein the extracted data identifies a feature location on the mounted wheel assembly (column 2 line 15-65).

Referring to **claim 38**, Downing shows a wheel parameter measurement apparatus for a dynamic wheel balancer wherein the extracted data identifies a feature dimension on the mounted wheel assembly (column 2 line 15-65).

Referring to **claim 39**, Downing shows a wheel parameter measurement apparatus for a dynamic wheel balancer wherein the extracted data identifies a configuration of the at least one feature on the mount wheel assembly (column 6 line 10-40).

Referring to **claims 49 and 61**, Downing shows acquiring stereoscopic images of the wheel rim (column 7 line 22-60).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Downing (5054918) in view of Ripley (4723445).

Referring to **claim 17**, Downing shows a vehicle wheel service system wherein the central processing unit is further configured to utilize the distance information to identify one or more features of the vehicle wheel assembly (paragraph 4-7). However Downing does not show features to be spoke configuration or spoke profiles.

Ripley shows features to be spoke configuration or spoke profiles (column 2 lines 27-46). It would have been obvious to modify Conheady to include features to be spoke configuration or spoke profiles because these features are necessary when determining the balance of a wheel.

Response to Arguments

Applicant's arguments with respect to claims 1, 7, 9, 10, 14, 17, 19, 23-25, 30, 36-39, 44, 49, and 61 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Luke D. Ratcliffe whose telephone number is 571-272-3110. The examiner can normally be reached on 8:00-4:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Tarcza can be reached on 571-272-6979. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3662

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LDR



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